

State of Utah
Administrative Rule Analysis
Revised May 2020

NOTICE OF PROPOSED RULE		
TYPE OF RULE: New ____; Amendment ____; Repeal ____; Repeal and Reenact ____		
Title No. - Rule No. - Section No.		
Utah Admin. Code Ref (R no.):	R307-801-1	Filing No. (Office Use Only)
Changed to Admin. Code Ref. (R no.):	R	

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Room no.:	Fourth Floor	
Building:	Multi Agency State Office Building	
Street address:	195 N 1950 W	
City, state:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144820	
City, state, zip:	Salt Lake City, UT 84116-4820	
Contact person(s):		
Name:	Phone:	Email:
Liam Thrailkill	801-536-4419	lthrailkill@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
Purpose and Authority
3. Purpose of the new rule or reason for the change (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
Due to Senate Bill 88 being passed by the Utah State Legislature in 2020, amendments were needed in R307-801-1 to bring the rule in line with Utah Code.
4. Summary of the new rule or change:
The amendments to R307-801-1 merely update the reference to the Utah Code as amended by Senate Bill 88. A public hearing is set for Monday, August 3, 2020. Further details may be found below. The hearing will be cancelled should no request for one be made by Friday, July 31, 2020, at 5:00PM MT. The final status of the public hearing will be posted on Friday, July 31, after 5:00PM MT. The status of the public hearing may be checked at the following website location under the corresponding rule. https://deq.utah.gov/public-notice-archive/air-quality-rule-plan-changes-open-public-comment Interested persons can participate electronically, via the internet: https://meetingsamer15.webex.com/meetingsamer15/j.php?MTID=me86cb2376056a51b26bef1de0d6827d4 Meeting number: 126 786 2510 Meeting password: w23pJRe9sii (92375739 from phones and video systems) Join by Phone: 1-408-418-9388

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
There are no anticipated costs or savings to the state budget because the amendments merely update the reference to the Utah Code as amended by Senate Bill 88.
B) Local governments:
There are no anticipated costs or savings to local governments because the amendments merely update the reference to the

Utah Code as amended by Senate Bill 88.

C) Small businesses ("small business" means a business employing 1-49 persons):

There are no anticipated costs or savings to small businesses because the amendments merely update the reference to the Utah Code as amended by Senate Bill 88.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There are no anticipated costs or savings to non-small businesses because the amendments merely update the reference to the Utah Code as amended by Senate Bill 88.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

There are no anticipated costs or savings to persons other than small businesses, non-small businesses, state, or local government entities as the amendments merely update the reference to the Utah Code as amended by Senate Bill 88.

F) Compliance costs for affected persons:

There are no compliance costs for affected persons as a result of this rulemaking, as the amendments merely update the reference to the Utah Code as amended by Senate Bill 88.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The head of the Department of Environmental Quality, L. Scott Baird, has reviewed and approved of this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

The amendments to R307-801-1 merely update the references to the Utah Code as amended in Senate Bill 88 of the 2020 Utah Legislative Session and therefore have no fiscal impact on businesses.

B) Name and title of department head commenting on the fiscal impacts:

L. Scott Baird, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

19-2-104(1)(d)	19-2-104(3)(r) through (t)	40 CFR Part 61. Subpart M
40 CFR Part 763. Subpart E		

Incorporations by Reference Information

(If this rule incorporates more than two items by reference, please include additional tables.)

8. A) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; if none, leave blank):

	First Incorporation
Official Title of Materials Incorporated (from title page)	
Publisher	
Date Issued	
Issue, or version	

B) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; *if none, leave blank*):

	Second Incorporation
Official Title of Materials Incorporated (from title page)	
Publisher	
Date Issued	
Issue, or version	

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until (mm/dd/yyyy): 08/03/2020

B) A public hearing (optional) will be held:

On (mm/dd/yyyy):	At (hh:mm AM/PM):	At (place):
08/03/2020	11:00AM MST	Multi Agency State Office Building Division of Air Quality, Fourth Floor 195 N 1950 W Salt Lake City, UT 84116

10. This rule change MAY become effective on (mm/dd/yyyy): 09/03/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

To the agency: Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the *Utah State Bulletin*, and delaying the first possible effective date.

Agency head or designee, and title:	Bryce Bird	Date (mm/dd/yyyy):	05/18/2020
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R307. Environmental Quality, Air Quality.

R307-801. Utah Asbestos Rule.

R307-801-1. Purpose and Authority.

This rule establishes procedures and requirements for asbestos abatement or renovation projects and training programs, procedures and requirements for the certification of persons and companies engaged in asbestos abatement or renovation projects, and work practice standards for performing such projects. This rule is promulgated under the authority of Utah Code Subsections ~~[Annotated]~~ 19-2-104(1)(d), (3)(a)(iii), (3)(b)(iv)(A), (B), and (C), (3)(b)(v), (6)(a), and (6)(b). Penalties are authorized by Utah Code Section ~~[Annotated]~~ 19-2-115. Fees are authorized by Utah Code Section ~~[Annotated]~~ 19-1-201 ~~(6)~~~~(2)~~(i).

KEY: air pollution, asbestos, asbestos hazard emergency response, schools

Date of Enactment or Last Substantive Amendment: May 5, 2016

Notice of Continuation: March 8, 2018

Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(d); 19-2-104(3)(r) through (t); 40 CFR Part 61, Subpart M; 40 CFR Part 763, Subpart E